

FILE COPY

76

STATE OF WISCONSIN

BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS AND LAND SURVEYORS (ARCHITECTS' SECTION)

IN THE MATTER OF THE ARCHITECTS'
LICENSE OF GERALD E. MUNDT,
RESPONDENT (A-3127)

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

This action coming on to be heard before the Architects' Section of The Wisconsin Examining Board of Architects, Professional Engineers, Designers and Land Surveyors on the 30th day of April, 1976, pursuant to notice duly given on complaint of the Division of Safety and Buildings, State of Wisconsin, Department of Industry, Labor and Human Relations, in support of said complaint and a motion for an order in default having been presented by William Dusso, staff attorney for said Board, and the respondent, Gerald E. Mundt, having been served with complaint, notice of hearing and motion for default but respondent having failed to file an answer in the required form or to defend or make any appearance in the above entitled action and Gordon Samuelsen and Lowell E. Nass, Assistant Attorneys General, being present to advise the Architects' Section and the Architects' Section having heard the evidence and being advised in the premises, makes the following:

FINDINGS OF FACT

(1) That Gerald E. Mundt, whose address is 4212 Poplar Drive, Minneapolis, Minnesota, is, and was at all times hereinafter mentioned, licensed by the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, pursuant to the provisions of s. 443.01, Wis. Stats., as an architect, holding Certificate No. A-3127;

(2) That on July 31, 1975, the Division of Safety and Buildings, State of Wisconsin, Department of Industry, Labor and Human Relations, (hereinafter "Division") conducted a building inspection of the Havenet Nursing Home located in Owen, Wisconsin, and determined that the building was in the process of being altered according to the plans prepared by respondent;

(3) That said alterations eliminated from the second floor of the building an exit required by the Wisconsin Building Code;

(4) That plans for alterations to Havenet Nursing Home had not been submitted by respondent to the Division for review prior to July 31, 1975;

(5) That respondent was ordered by the Division to submit to the Division plans and specifications showing building alterations and that said plans were received by the Division on August 11, 1975;

CONCLUSION OF LAW

(1) That respondent's failure to submit plans to the Division for review prior to altering the Havenet Nursing Home as required by Wis. Adm. Code ss. IND 50.10 and 52.001 violates Wis. Adm. Code s. A-E 4.06, a rule of professional conduct of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors;

ORDER

WHEREFORE, it is ordered that the Certificate of Registration as an Architect, No. A-3127, of Gerald E.

Mundt, respondent, shall be and hereby is suspended for a period of 30 days, said suspension to take effect on the 30th day following service of this Order on respondent provided, however, that this Board may for good cause, on petition of respondent if filed within 30 days of service of this Order, relieve respondent from the effect of this Order and permit respondent to answer and defend.

Dated this 3rd day of June, 1976.

EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS
AND LAND SURVEYORS
(ARCHITECTS' SECTION)

BY:


C. F. Hutt, Secretary

Notice sent to Somersan.
Notice and complaint sent to Samuelson
2-27-76, jr.

Scheduled Reporter for April 30
Mundt hearing
1-5-76 jr

TO: Gerald E. Mundt
4212 Poplar Drive
Minneapolis, MN 5542

PLEASE TAKE NOTICE, That the above entitled matter is secheduled for hearing on the 30th day of April, 1976, at Room 191, 201 East Washington Avenue, in the City of Madison, Wisconsin at 10:00 a.m. or as soon thereafter as the matter may be reached, on the question of whether the license heretofore issued to the above named respondent pursuant to sec. 443.01, Wis. Stats , should be suspended or revoked, or the above respondent should be reprimanded. The issues involved and the charges there to be considered are as set forth in the attached complaint to which you are required to make answer in writing within 20 days from the date of service of the complaint.

Dated at Madison, Wisconsin this 27th day of February, 1976.

EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL
ENGINEERS, DESIGNERS AND LAND SURVEYORS

By C. F. Hurc
C. F. Hurc, Secretary

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO	Gerald E. Mundt	POSTMARK OR DATE 2-27-76
STREET AND NO	4212 Poplar Dr.	
P.O., STATE AND ZIP CODE	Mpls, MN 55422	
OPTIONAL SERVICES FOR ADDITIONAL FEES		
1 Shows to whom and date delivered	15¢	
With delivery to addressee only	65¢	
2 Shows to whom, date and where delivered	35¢	
With delivery to addressee only	85¢	
DELIVER TO ADDRESSEE ONLY	50¢	
SPECIAL DELIVERY (extra fee required)		
PS Form 3800 Apr. 1971	NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL	(See other side) * GPO 1972 O - 460-743

Wisconsin Examining Board of
Architects, Professional Engineers,
Designers and Land Surveyors
1201 E. Washington Avenue
Madison, Wisconsin 53702

MAR - 3 1976

RETURN
TO

STATE OF WISCONSIN

BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS AND LAND SURVEYORS (ARCHITECTS' SECTION)

IN THE MATTER OF THE ARCHITECTS'
LICENSE OF GERALD E. MUNDT,
RESPONDENT (A-3127)

COMPLAINT

The Division of Safety and Buildings, State of Wisconsin, Department of Industry, Labor and Human Relations, by its Chief Engineer, Ergun I. Somersan, alleges as follows:

1) That Ergun I. Somersan is the Chief Engineer of the Division of Safety and Buildings, Department of Industry, Labor and Human Relations, an agency of the State of Wisconsin and is authorized to complain on behalf of said Division in his capacity as Chief Engineer;

2) That the post office address of the Division of Safety and Buildings, Department of Industry, Labor and Human Relations is 201 East Washington Avenue, Madison, Wisconsin, 53702;

3) On information and belief, that Gerald E. Mundt, whose address is 4212 Poplar Drive, Minneapolis, Minnesota, is, and was at all times hereinafter mentioned, licensed by the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, pursuant to the provisions of s. 443.01, Wisconsin Statutes, as an architect, holding Certificate No. A-3127;

4) That on July 31, 1975, the Division of Safety and Buildings (hereinafter "Division") conducted a building inspection of the Havenet Nursing Home located in Owen, Wisconsin and determined that the building was in the process of being altered according to plans prepared by respondent;

5) That said alterations eliminated from the second floor of the building an exit required by the Wisconsin Building Code;

6) That plans for alterations to Havenet Nursing Home had not been submitted by respondent to the Division for review prior to July 31, 1975;

7) That respondent was ordered by the Division to submit to the Division plans and specifications showing building alterations and that said plans were received by the Division on August 11, 1975;

8. That respondent's failure to submit plans to the Division for review prior to altering the Havenet Nursing Home as required by Wis. Adm. Code ss. IND 50.10 and 52.001 violates Wis. Adm. Code s. A-E 4.06, a rule of professional conduct of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors;

Dated this ~~26th~~ 27th day of January, 1976.

Ergun I. Somersan

Ergun I. Somersan, Chief Engineer

STATE OF WISCONSIN)
DANE COUNTY)

Ergun I. Somersan, being first duly sworn, on oath deposes and says that he is Chief Engineer of the Department of Industry, Labor and Human Relations, Division of Safety and Buildings of the State of Wisconsin, and is duly authorized to make this verification, that he has read the foregoing Complaint and knows the contents thereof, that the same is true to his own knowledge, except as to those matters alleged on information and belief, and as to those matters, he believes it to be true.

Ergun I. Somersan

Ergun I. Somersan, Chief Engineer

Subscribed and sworn to before me
this 30 day of January, 1976.

Shirley Stankus
Notary Public, Dane County, Wisconsin
My Commission expires 3-11-79.

